

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THOMAS P. CONNELLY, JR.,

Petitioner,

v.

WARDEN, BERKS COUNTY JAIL

Respondent.

CIVIL ACTION

NO. 24-CV-0145-KSM

ORDER

AND NOW, this 10th day of June, 2024, upon careful and independent consideration of the petition for a writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey (Doc. No. 12), **IT IS ORDERED** that:

1. The Report and Recommendation is **APPROVED and ADOPTED**;
2. The Petition for Writ of Habeas Corpus is **DISMISSED AS MOOT**;¹
3. A certificate of appealability will not issue because reasonable jurists would not debate the correctness of this Court's procedural ruling. *See Slack v. McDaniel*, 529 U.S. 473, 484 (2000); and
4. The Clerk of the Court shall mark this case closed for statistical purposes.

IT IS SO ORDERED.

/s/ Karen Spencer Marston

KAREN SPENCER MARSTON, J.

¹ In the Eastern District of Pennsylvania, Local Rule 72.1.IV(b) governs a petitioner's objections to a magistrate judge's report and recommendation." *Piasecki v. Ct. of Common Pleas*, No. 14-cv-7004, 2021 WL 1105338, at *3 (E.D. Pa. Mar. 23, 2021). Under that Rule, a petitioner must "specifically identify the portions of the proposed findings, recommendations, or report to which objection is made and the basis for such objections" *within fourteen days* of receipt of a copy thereof. *Id.* Here, upon notice of Petitioner's letter dated May 13, 2024 seeking to file objections to the Report and Recommendation, the Court granted the request to file objections *nunc pro tunc* no later than May 30, 2024. (Doc. No. 15.) Petitioner acknowledged receipt of this order. (Doc. No. 17.) As of the date of this Order, Petitioner has failed to file any objections.